

SENATE BILL No. 365

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-31.

Synopsis: School accountability. Provides that a school is subject to certain consequences after the first and second years in which the school remains in the lowest accountability category or designation following the school's initial placement in the lowest accountability category or designation. (Under current law, the consequences are in effect after the third and fifth years in which a school remains in the lowest accountability category or designation following the school's initial placement in the lowest accountability category or designation.) Provides that a school becomes a turnaround academy in the third year in which the school remains in the lowest accountability category or designation following the school's initial placement in the lowest accountability category or designation. Requires the state board of education to determine, during a turnaround academy's fifth year of operation, whether the turnaround academy will be returned to the operation of the school corporation, become a charter school, or be subject to an additional intervention.

Effective: July 1, 2014.

Miller Pete

January 14, 2014, read first time and referred to Committee on Education and Career Development.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 365

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-31-9-3, AS AMENDED BY P.L.229-2011,
2 SECTION 188, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) This section applies if, in the
4 ~~third~~ **first** year after initial placement in the lowest category or
5 designation, a school still remains in the lowest category or
6 designation.
7 (b) The state board shall establish and assign an expert team to the
8 school. The expert team:
9 (1) must include ~~representatives~~ **a representative** from the
10 community or region that the school serves; and
11 (2) may include:
12 (A) school superintendents, members of governing bodies, and
13 teachers from school corporations that are in high categories
14 or designations; and
15 (B) special consultants or advisers.
16 (c) The expert team shall:



(1) ~~assist~~ **provide guidance to** the school in revising the school's plan; and

(2) recommend changes in the school that will promote improvement, including the reallocation of resources or requests for technical assistance.

(d) The governing body of the school corporation in which a school to which this section applies is located may petition the state board to immediately restructure the school by presenting a written plan to the state board setting forth the proposed intervention for the school. If the state board approves the petition and accepts the plan, the school:

(1) operates under the applicable provisions of IC 20-31-9.5; and

(2) is carried forward in the same performance category or designation in which the school is placed at the time the state board accepts the plan.

SECTION 2. IC 20-31-9-4, AS AMENDED BY P.L.229-2011, SECTION 189, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) This section applies if, in the ~~fifth~~ **second** year after initial placement in the lowest category or designation, a school still remains in the lowest category or designation.

(b) The state board shall do the following:

(1) Hold at least one (1) public hearing **during the spring semester** in the school corporation where the school is located to consider and hear testimony concerning the following options for school improvement:

(A) Merging the school with a nearby school that is in a higher category.

(B) Assigning a special management team to operate all or part of the school.

(C) The department's recommendations for improving the school.

(D) Other options for school improvement expressed at the public hearing, including closing the school.

(E) Revising the school's plan in any of the following areas:

(i) Changes in school procedures or operations.

(ii) Professional development.

(iii) Intervention for individual teachers or administrators.

(2) ~~If the state board determines that intervention will improve the school,~~ Implement at least one (1) of the options listed in subdivision (1).

(c) ~~Unless the school is closed or merged,~~ A school that is subject to improvement under this section becomes a turnaround academy



under IC 20-31-9.5. The state board shall direct the department to seek a lead partner or turnaround operator for the school during the spring semester of the second year following the school's initial placement in the lowest category or designation to begin operating the school during the following school year.

SECTION 3. IC 20-31-9-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) Not later than December 31 of the fifth year of an intervention under this chapter, the state board shall take one (1) of the following actions:

(1) Return the school to the school corporation for operation.

(2) Direct the special management team to apply to a charter school authorizer for charter school status for the school.

(3) Implement a new intervention under section 4(b) of this chapter.

(b) In making a determination under this section, the state board may consider all relevant factors, including the overall performance of the school corporation and the special management team.

(c) Before making a final determination to take an action under subsection (a), the state board shall hold at least one (1) public hearing in the school corporation in which the school is located during the fall semester of the fifth year of an intervention to consider and hear testimony.

(d) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the school is entitled to continue to use the school's facilities in the same manner as a charter school that acquires school facilities under IC 20-26-7-1 is entitled to use school facilities.

SECTION 4. IC 20-31-9.5-7, AS ADDED BY P.L.160-2012, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) If the state board assigns a special management team to a school, the state board shall enter into a contract with a special management team that includes the following provisions:

(1) A requirement that the special management team and the governing body conduct a public meeting two (2) times each year to provide a report concerning:

(A) student achievement of affected students; and

(B) the condition of the school property and to address issues related to the school property.

(2) A requirement that the student instruction must be provided by teachers licensed under IC 20-28-5.



- 1 **(3) A specification that the length of the contract is five (5)**
2 **years.**
3 (b) Individuals employed by the special management team are
4 entitled to participate in either:
5 (1) the state teachers' retirement fund created by IC 5-10.4; or
6 (2) the public employees' retirement fund created by IC 5-10.3.
7 (c) Employees of a special management team are not required to
8 organize and collectively bargain under IC 20-29-6.

